



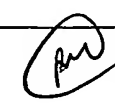
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,246	02/24/2004	Fu-Hsien Hsu	MR3375-19	1194
4586	7590	10/07/2005		
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER SHALLENBERGER, JULIE ANN	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/784,246	Applicant(s) HSU, FU-HSIEN	
	Examiner Julie A. Shallenberger	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Informalities

Objections to Claims

Claims 1,5,8,9,11, and 14-16 are objected to because of the following informalities:

Claim 1 has a grammatical error on line 3 after the word “lamp” and the word “coupled”.

A verb is missing and the examiner assumes the word “is” to be after the word “lamp”. A preposition is missing and the examiner assumes the word “to” is placed after the word “coupled”.

Claim 8 refers to an opening that is not clearly defined. The examiner takes this to mean the notches described in claims 4 and 10, however consistent terminology is required. Claim 8 also has a grammatical error in the second line. It is missing a verb after the word “member”. The examiner assumes the word “is” to be placed here.

Claims 5 and 11 are objected to because it is unclear what the applicant is referring to in the phrase “opposite to each other”. Is the applicant referring to the hinge or the portions being opposite?

Claim 9 is objected to because it lacks antecedent basis and the examiner suggests the applicant make this claim dependant on claim 8.

Claim 14 is objected to because it is dependant on claim 7, which refers to the second section and not the first.

Claim 14 describes a clip which is not clearly defined in the specification or the drawing. The examiner is assuming this part to be part of the mounting mechanism described in claims 15 and 16 which was previously taught by Ming-Hsiung Chen in his item 14.

Claims 15 and 16 are objected to because they lack antecedent for "the second sphere".

Appropriate correction is required.

Prior Art Rejections

Statutory Basis

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The Rejections

Claims 1,2, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (5,911,501) in view of W.T. Chen (6,431,729).

Katz teaches a decorative light string with alternating sections, 54 and 56, which are electrically and mechanically coupled but lack the wires being housed in the decoration member. W.T. Chen teaches light string 21 strung through and housed in decoration member 19. One would want to house the wires in the member so as to protect the wires. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the light string of Katz so that the wires are housed in the member as taught by W.T. Chen. Katz further discloses a pumpkin which is a spherical shape as claimed in 2.

Claims 3-5, 8-11, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (5,911,501) and W.T. Chen (6,431,729) as applied to claim 1, 2, and 7 above, and further in view of Bucek (5,567,045).

Katz and W.T. Chen lack the teaching of a sphere with 2 sections that attach as described in claims 3 and 9. Bucek teaches a sphere in figure 2 with two sections 2 and 3 that attach to each other. Claims 5 and 11 further describes the two sections being hinged and releasably coupled. The use of hinge coupling 12 is also taught by Bucek. This type of attachment makes for easier accessibility for changing bulbs. Therefore, it would have been obvious to form the ornaments of Katz in two parts as taught by Bucek.

Claims 4 and 10 further describe the hemi-spherical member being hollow, with notches and opening edges. These elements are also found in Bucek's figure and are further disclosed in column 4 line 10. Claim 8 refers to a sphere with openings through which wires extend. W.T. Chen teaches the wires strung through the member but lacks the spherical decoration member which is taught by Bucek. It would have been obvious to use the hemi-spherical members and notches taught by Bucek in order to string the wires through the decoration of Katz.

Claims 17 and 19 refer to a decorative member in the configuration of a doll figure. However, Bucek teaches in column 7 lines 56-59 the various modifications to the decorative member configurations. Among these variations is a witch that is seen to be a doll configuration. Claims 18 and 20 refer to a decorative member in the configuration of a star shape. The star is well known for Christmas decorations (a theme suggested by Bucek) and offers variety in the decoration members. Therefore, it would have been obvious to one of ordinary skill in the art at

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the time of the invention to modify the teachings of Katz and W.T. Chen and further apply the teachings of Bucek to add variety to the decorative lights.

Claims 6,12, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz, W.T. Chen, and Bucek as applied to claims 1-3,5,7,9, and 11 and further in view of Ming-Hsiung Chen (US 2002/0159256).

Claims 6 and 12 further claim a pawl with a recess. Ming-Hsiung Chen teaches a hook plate member 12 that is analogous to a notch and a peripheral opening 13 which is analogous to a recess. It would have been obvious to add the hook and pawl of Ming-Hsing Chen to the device of Katz as a means of attaching the hemispherical members.

Claim 13 further claims a decorative member comprising two lamps. This arrangement is taught by Ming-Hsiung Chen elements 2 and 22. The utilization of two lamps clearly provides more illumination for the decoration member and therefore would have been an obvious duplication of the element of Katz.

Claims 14-16 as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz, W.T. Chen , and Bucek as applied to claim 1,7, and 13 above, and further in view of Ming-Hsiung Chen for the reasons and motivations discussed above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie A. Shallenberger whose telephone number is (571)-272-7131. The examiner can normally be reached on Monday - Friday 830-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on 571-272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Julie Shallenberger
Examiner
Art Unit 2875



RENEE LUEBKE
PRIMARY EXAMINER